

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

|   |   |                            |
|---|---|----------------------------|
| BOOTHBAY YACHT REFINISHING,                 | ) |                            |
| INC.,                                       | ) |                            |
|   | ) |                            |
| Plaintiff,                                  | ) |                            |
|   | ) | Docket no. 2:09-cv-143-GZS |
| v.  | ) |                            |
|   | ) |                            |
| M/V PHOENIX, her engines, tackle, boats,    | ) |                            |
| furniture, equipment, appurtenances, masts, | ) |                            |
| etc., <i>in rem</i> , et al.,               | ) |                            |
|   | ) |                            |
| Defendants.                                 | ) |                            |

**ORDER TO RELEASE VESSEL**

Upon reading and considering the request for expedited release (Docket # 45) of the vessel M/V PHOENIX from arrest in accordance with Supplemental Rule E(5), and good cause appearing therefor;

In accordance with the Notice of Voluntary Dismissal (Docket # 46), it is hereby ORDERED that the Clerk enter a judgment of dismissal without prejudice of the Verified Complaint herein and that the U.S. Marshal release the M/V PHOENIX from arrest and its custody forthwith upon satisfaction of any fees owed it. Upon release of the vessel, this matter shall be closed.

SO ORDERED.

/s/ George Z. Singal  
United States District Judge

Dated this 27th day of April, 2010.